

This document has been electronically entered in the records of the United States Bankruptcy Court for the Southern District of Ohio.

IT IS SO ORDERED.

Dated: December 23, 2020




Jeffery P. Hopkins
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

In re:

MARY BAXLA OWENS

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Case No. 18-12953

Chapter 13

Judge Jeffery P. Hopkins

Debtor(s).

**ORDER DENYING APPLICATION
FOR PAYMENT OF UNCLAIMED FUNDS (DOC. NO. 35)**

The above-referenced Application for Payment of Unclaimed Funds (hereinafter, the "Application") does not comply with the United States Bankruptcy Code and/or the Federal/Local Rules of Bankruptcy Procedure as noted below:

- ☒ The Application is not accompanied by a certificate of service. (LBR 9013-3(e) and 9013-1(a) require that a motion or application, except for an ex parte motion or application, or a motion or application which will be noticed by the clerk, shall be accompanied by a certificate of service.)
- ☒ The Application is not accompanied by the mandatory notice of the right to object or respond, and the time within which to do so. (LBR 9013-1(a) provides that a motion or application shall be accompanied by a mandatory notice that complies with Official Form 420A or the Sample 21 Day Notice found in LBR 9013-1(a).)
- ☒ The Application was not served on the United States Attorney. (28 U.S.C. §2042 requires an application for unclaimed funds to be served on the United States Attorney.)

- ☒ The Applicant Declaration (section 5 of the Application) is incomplete. (General Order 33-1 requires all applications to include a signed declaration, under the penalty of perjury, by the applicant.)
- ☒ The Notarization (section 6 of the Application) is incomplete. (General Order 33-1 requires all applications to be notarized under applicable state law.)
- ☒ The court is holding funds in the amount of \$3538.50, NOT the amount requested on the application.

The Application is therefore **DENIED** without prejudice.

IT IS SO ORDERED.

NOTE: A form Application for Payment of Unclaimed Funds that complies with our Local Bankruptcy Rules is available on the Court's website at <https://www.ohsb.uscourts.gov/unclaimed-funds>. While the use of this form application is not required, parties requesting the release of unclaimed funds are strongly encouraged to use the form to ensure Local Rule compliance.

Copies To:
Default List

In re:
Mary Baxla Owens
Debtor(s)

Case No. 18-12953-jph
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0648-1

User: orozcoa

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Date Rcvd: Dec 23, 2020

Form ID: pdf01

Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
#	Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 25, 2020:

Recip ID	Recipient Name and Address
db	#+ Mary Baxla Owens, 557 Spring Street, Greenfield, OH 45123-1133

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 25, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 23, 2020 at the address(es) listed below:

Name	Email Address
Asst US Trustee (Cin)	ustpreion09.ci.ecf@usdoj.gov
Harold Jarnicki	on behalf of Debtor Mary Baxla Owens jarnickihsd9@earthlink.net
Margaret A Burks	Cincinnati@cinn13.org
Michael E Idzkowski	on behalf of Attorney State of Ohio michael.idzkowski@ohioattorneygeneral.gov sandra.finan@ohioattorneygeneral.gov
Timothy J Kern	on behalf of Attorney State of Ohio timothy.kern@ohioattorneygeneral.gov Sandra.finan@ohioattorneygeneral.gov

District/off: 0648-1

User: orozcoa

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Date Rcvd: Dec 23, 2020

Form ID: pdf01

Total Noticed: 1

TOTAL: 5